

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

FIFTY-SECOND DAY, TUESDAY, APRIL 11, 2000

Speaker Gaw in the Chair.

Prayer by Reverend Rudy Beard.

O Lord, to whom we will all have to account, grant us Your aid, that the work done this day may be pleasing to You.

If any here are in ill spirits, or clinging to grudges, if any are unable to let go of old hurts or sustain bitterness, then we pray that You will bless them.

Help this House to cheerfully bear with one another. And give to these men and women a quiet and understanding spirit. Bless them as they serve this day, and give life to their good intentions. To You be glory and honor, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brittanie Ross, Spencer Long, Beth Millay, Dustin Seaman, Amanda Nettles, Becky Tullock, Danny Jurczyk, Eddie Leppert, Michael Osterhaus, Amy Revenaugh, Emily DeStefano, Bridget McConnell, Cassie Maas, Eric Greenley, John Greenley, Andy Greenley, Kristen Ohlms, Jessica Ohlms, Courtney Ohlms, Jared Houk, Brandon D. Morgan, Josh Nichols, Alana Copeland, Abbey Riley, Cassie Jadlot, Brad Newman, Amy Strawhun, Julie Bellm, Danny Olwig, Phillip Bascio, Eric Richmond, Daniel Dempsey, Clint Satyavelu, Jason Rathke, Matt Stephens, Jerald Wallut, Mary Carter, Mary Evans, Tyrone Thompson, Jessica Shane, Douglas Shane and Kathryn Shane.

The Journal of the fifty-first day was approved as corrected by the following vote:

AYES: 084

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hampton	Harlan	Hickey
Hilgemann	Hollingsworth	Hoppe	Hosmer	Kelly 27
Kennedy	Kissell	Koller	Kreider	Lakin
Lawson	Leake	Liese	Luetkenhaus	May 108
Mays 50	McBride	McKenna	McLuckie	Merideth
Monaco	Murray	O'Connor	O'Toole	Overschmidt
Parker	Ransdall	Relford	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton

Skaggs	Smith	Thompson	Treadway	Troupe
Van Zandt	Wagner	Ward	Wiggins	Williams 121
Williams 159	Wilson 25	Wilson 42	Mr. Speaker	

NOES: 070

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Gross	Hanaway	Hartzler 123	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kelley 47	King
Klindt	Legan	Levin	Linton	Long
Loudon	Luetkemeyer	Marble	McClelland	Miller
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 001

Reid

ABSENT WITH LEAVE: 006

Hartzler 124	Holand	Lograsso	Reynolds	Sallee
Stokan				

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1072

through

House Resolution No. 1074 - Representative Berkstresser

House Resolution No. 1075 - Representative Barry

House Resolution No. 1076

through

House Resolution No. 1083 - Representative Ward

House Resolution No. 1084

through

House Resolution No. 1087 - Representative Boykins

House Resolution No. 1088 - Representative McKenna

House Resolution No. 1089

and

House Resolution No. 1090 - Representatives Ross and Lograsso

House Resolution No. 1091 - Representative Ross

House Resolution No. 1092 - Representative Wright

House Resolution No. 1093 - Representative Townley

House Resolution No. 1094 - Representative Holand

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 74 was read the second time.

SECOND READING OF HOUSE BILL

HB 2156 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 683, SB 864, SB 956, SCS SB 1059, SCS SB 1066 and SCS SB 1075 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1305 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1677, 1675 & 1676 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILLS

HCS HB 1711, as amended, with House Amendment No. 4, pending, relating to prescription drug costs, was taken up by Representative Abel.

Representative Troupe offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1711, Page 1, Section 376.891, Line 14, by inserting after the word “**pharmacy**” the following:

“The division of medical services shall use the same reimbursement rate for all pharmacies participating in the Medicaid program on a fee-for-services basis.”; and

Further amend House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by inserting after said line the following:

“6. No policy, contract or plan shall permit or mandate any difference in coverage for or impose any different conditions, including, but not limited to, copayments, deductibles or coinsurance or the number of days for the supply of the drug, whether the prescription benefits are provided through direct contact with a pharmacy or by use of a mail order pharmacy so long as the provider selected is a participant in the plan involved.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Naeger raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Troupe, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Naeger offered **House Amendment No. 5**.

Representative Monaco raised a point of order that **House Amendment No. 5** contains language previously rejected by the adoption of **House Substitute Amendment No. 1 for House Amendment No. 4**.

The Chair ruled the point of order well taken.

Representative Ford offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by adding after said line all of the following:

“Persons aged 65 years or older who are not covered by Medicare, Medicaid or other private insurance shall not be charged for any legal drug prescription.”

Representative Scott offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1711, Page 1, Section 376.891, Line 1, by deleting the word “65” and inserting in lieu thereof the word “**110**”.

Representative Elliott offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5**.

Representative Britt raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5** is not a true substitute amendment and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

House Amendment No. 1 to House Amendment No. 5 was withdrawn.

House Amendment No. 5 was withdrawn.

Representative Reid offered **House Amendment No. 5**.

Representative Relford raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Naeger offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1711, Page 2, Section 376.891, Line 32, by inserting after the following:

“Section 2. No individual or group health insurance policy providing coverage on an expense incurred basis, no individual or group service or indemnity type contract issued by a not for profit corporation, no individual or group service contract issued by a health maintenance organization, no self-insured group arrangement, to the extent not preempted by law, and no managed health care entity plan of any type or description, that are delivered, issued for delivery, continued or renewed on or after August 28, 2000, which provide coverage for pharmaceutical benefits or services shall reimburse any pharmacy or pharmacist for dispensing any prescription or providing any service at less than the rate paid by the department of social services for the same fees or services pursuant to section 1 of this act, so long as the pharmacy or pharmacist is a medicaid provider in this state.”.

Representative Monaco raised a point of order that **House Amendment No. 5** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Smith assumed the Chair.

On motion of Representative Naeger, **House Amendment No. 5** was adopted by the following vote:

AYES: 094

Alter	Ballard	Barnett	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Boucher 48	Boykins	Champion	Cierpiot	Clayton
Crump	Davis 122	Dougherty	Enz	Evans
Fitzwater	Foley	Ford	Foster	Froelker
Gaskill	George	Gibbons	Graham 106	Graham 24
Green	Griesheimer	Hampton	Harlan	Hegeman
Hendrickson	Hohulin	Holand	Hoppe	Hosmer
Howerton	Kasten	Kelley 47	Kennedy	King
Kissell	Klindt	Koller	Lawson	Leake
Legan	Levin	Liese	Linton	Lograsso
Luetkenhaus	Marble	McClelland	McKenna	McLuckie
Merideth	Miller	Murray	Naeger	Nordwald
O'Toole	Ostmann	Parker	Phillips	Pouche 30
Pryor	Purgason	Reid	Reinhart	Relford
Richardson	Ridgeway	Robirds	Scheve	Schwab
Secrest	Seigfreid	Selby	Shields	Smith
Summers	Tudor	Vogel	Wiggins	Williams 159
Wilson 25	Wilson 42	Wright	Mr. Speaker	

NOES: 057

Abel	Auer	Backer	Barry 100	Bonner
Britt	Burton	Campbell	Chrismer	Crawford
Curls	Davis 63	Days	Elliott	Farnen
Franklin	Fraser	Gambaro	Gratz	Gross
Gunn	Hagan-Harrell	Hanaway	Hartzler 123	Hickey
Hilgemann	Hollingsworth	Kelly 27	Kreider	Lakin
Loudon	Luetkemeyer	May 108	Mays 50	McBride
Monaco	Murphy	Myers	O'Connor	Overschmidt
Patek	Ransdall	Riley	Rizzo	Schilling
Scott	Shelton	Skaggs	Surface	Thompson
Townley	Treadway	Troupe	Van Zandt	Wagner
Ward	Williams 121			

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin	Berkstresser	Bray 84	Dolan	Hartzler 124
Long	Reynolds	Ross	Sallee	Stokan

VACANCIES: 002

Representative Reid offered **House Amendment No. 6**.

Representative Hollingsworth raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Abel, **HCS HB 1711, as amended**, was adopted.

On motion of Representative Abel, **HCS HB 1711, as amended**, was ordered perfected and printed.

HCS HB 1797, relating to insurance identification database, was taken up by Representative Gratz.

Representative Gratz offered **HS HCS HB 1797**.

Representative Gratz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1797, Page 1, In the Title, Line 7, by striking the word “five” and inserting in lieu thereof the word “six”; and

Further amend said bill, Page 1, Section A, Line 13, by striking the word “five” and inserting in lieu thereof the word “**six**”; and

Further amend said bill, Line 12, by inserting a comma after the term “303.412” and striking the next word “and”; and

Further amend said bill, Line 15, by inserting after the comma following the term “303.415” the words “**and Section 390.128**”; and

Further amend said bill, Page 14, Section 303.415, Line 5, by inserting after all of said line, the following additional section:

“390.128. 1. To assist motor carriers in certifying their motor vehicle financial responsibility as required pursuant to chapters 390 and 622, RSMo, the division of motor carrier and railroad safety within the state department of economic development shall provide by rule for the electronic filing by insurance companies of certificates of insurance required by section 390.126, RSMo. The division may provide by rule for the confirmation of coverage by insurance companies authorized to do business in the state through national clearinghouses or private databases. The division may provide by rule for the acceptance of proof of insurance from insurance companies located outside of the state.

2. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.”.

On motion of Representative Gratz, **House Amendment No. 1** was adopted.

Representative Britt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1797, Page 7, Section 303.406.6, Line 17, by deleting the word “grossly”; and

Further amend said section, Page 8, Line 2, by deleting the word “grossly”.

On motion of Representative Britt, **House Amendment No. 2** was adopted.

Representative Marble offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1797, Page 10, Section 303.409, Line 6, by deleting the brackets around the word “certified”; and

Further amend by deleting the words “**first class**”.

Representative Marble moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

HCS HB 1797, with HS, as amended, pending, was laid over.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 1362, relating to health insurance, was taken up and placed back on the Informal Calendar.

HCS HB 1602, relating to livestock sales regulations, was taken up and placed back on the Informal Calendar.

HCS HB 1143, relating to senior environmental corps, was taken up and placed back on the Informal Calendar.

On motion of Representative Foley, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Gaw.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1095

and

House Resolution No. 1096 - Representative Parker

House Resolution No. 1097

through

House Resolution No. 1099 - Representative Barry

House Resolution No. 1100 - Representative Abel

House Resolution No. 1101

and

House Resolution No. 1102 - Representative Hartzler (124)

House Resolution No. 1103 - Representative Kreider

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1603**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

COMMUNICATION FROM THE SECRETARY OF STATE

TO THE SPEAKER OF THE HOUSE

Honorable Steve Gaw

Jefferson City, MO

Sir:

I, Rebecca McDowell Cook, Secretary of State of Missouri, hereby certify that at the Special Election held in the 37th Legislative District in the State of Missouri, on the 4th day of April, 2000, as provided by law, the following named person was elected to the office of State Representative, 37th Legislative District as shown by the election results certified to this office by the election authority of the 37th Legislative District.

Name

Office

Sharon Sanders Brooks
2808 Charlotte Street
Kansas City, MO 64109

State Representative
37th Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 11th day of April, 2000.

/s/ Rebecca McDowell Cook
Secretary of State

OATH OF OFFICE

Sharon Sanders Brooks advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Steve Gaw, Speaker of the Missouri House of Representatives.

PERFECTION OF HOUSE BILLS

HCS HB 1797, with HS, as amended, pending, relating to insurance identification database, was again taken up by Representative Gratz.

Representative Loudon offered **House Amendment No. 4**.

Representative Gratz raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Gratz, **HS HCS HB 1797, as amended**, was adopted.

On motion of Representative Gratz, **HS HCS HB 1797, as amended**, was ordered perfected and printed.

HCS HB 1569, relating to Missouri Equal Pay Act, was taken up by Representative Bray.

Representative Bray offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618.1(1), Line 7, by adding after the comma “,” the following: “**such additional amount**”.

On motion of Representative Bray, **House Amendment No. 1** was adopted.

Representative Koller offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 19, by adding after said line the following:

“Any action filed pursuant to this section where a jury trial is requested shall only be filed in the circuit court of the county of the residence of the petitioner. If the petitioner is not a resident of this state, the action shall be filed in the circuit in which the action is alleged to have occurred.”.

Speaker Pro Tem Kreider assumed the Chair.

Representative Shields offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Patek offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 19, by adding after said line the following:

“Any action filed pursuant to this section shall only be filed in the circuit court of the county of the residence of the plaintiff. If the petitioner is not a resident of this state, the action shall be filed in the circuit in which the action is alleged to have occurred.”.

Representative Smith resumed the Chair.

Representative Patek moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hohulin	Holand	Howerton
Kasten	Kelley 47	King	Klindt	Koller
Legan	Levin	Linton	Long	Loudon
Luetkemeyer	Marble	McClelland	Merideth	Miller
Murphy	Myers	Naeger	Nordwald	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Robirds	Ross	Schwab

Scott	Secret	Seigfreid	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Green	Gunn
Hagan-Harrell	Harlan	Hendrickson	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Kreider	Lakin	Lawson	Leake
Liese	Lograsso	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reid	Relford	Ridgeway	Riley	Rizzo
Scheve	Schilling	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Berkstresser	Reynolds	Sallee	Stokan
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VACANCIES: 001

Representative Marble offered **House Substitute Amendment No. 2 for House Amendment No. 2**.

*House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 19, by deleting the word “**demand**” and inserting in lieu thereof the word “**reject**”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Marble moved that **House Substitute Amendment No. 2 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Griesheimer
Gross	Hanaway	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Long	Loudon	Luetkemeyer	Marble

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McClelland	Miller	Murphy	Myers	Naeger
Nordwald	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Ridgeway
Robirds	Ross	Schwab	Scott	Secrest
Shields	Summers	Surface	Tudor	Vogel
Wright				

NOES: 083

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Lawson	Leake
Liese	Luetkenhaus	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reid	Relford	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Gratz

ABSENT WITH LEAVE: 007

Berkstresser	Dougherty	Lograsso	Reynolds	Sallee
Stokan	Townley			

VACANCIES: 001

Speaker Pro Tem Kreider resumed the Chair.

Representative Koller moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Black	Blunt	Boatright
Burton	Champion	Chrismer	Cierpiot	Crawford
Dolan	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham 106	Gratz
Griesheimer	Gross	Hampton	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hohulin	Holand	Howerton
Kasten	Kelley 47	King	Klindt	Leake
Legan	Levin	Linton	Long	Loudon
Luetkemeyer	Marble	Merideth	Miller	Murphy
Myers	Naeger	Nordwald	Ostmann	Overschmidt
Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Robirds	Ross	Schwab
Scott	Secrest	Seigfreid	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Graham 24	Green	Gunn
Hagan-Harrell	Harlan	Hendrickson	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Liese	Luetkenhaus	May 108	Mays 50	McBride
McClelland	McKenna	McLuckie	Monaco	Murray
O'Connor	O'Toole	Parker	Ransdall	Reid
Relford	Ridgeway	Riley	Rizzo	Scheve
Schilling	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Berkstresser	Lograsso	Reynolds	Sallee	Stokan
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VACANCIES: 001

Representative Seigfreid offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 14, by inserting after all of said line the following: “**(4) No punitive damages shall be awarded.**”

On motion of Representative Seigfreid, **House Amendment No. 3** was adopted.

Representative Blunt offered **House Amendment No. 4.**

Representative May (108) raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Linton offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 3, by adding the following: “**any minority status**” after the word “race” and before the word “or”; and

Further amend said bill by adding the same change on line 12 before and after the same words.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 3, by adding the following: **“any disability”** after the word “race” and before the word “or”; and

Further amend said bill by adding the same change on line 12 before and after the same words.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Gibbons offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Lines 5 & 6, by deleting said lines and inserting in lieu thereof the following:

“for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions”; and

Further amend said section, Line 13, by deleting the words “substantially equivalent” and inserting in lieu thereof the word **“equal”**.

On motion of Representative Gibbons, **House Amendment No. 5** was adopted.

Representative Blunt offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, by inserting after all of said line the following:

"4. In any action brought pursuant to sections 290.610 to 290.618, the court or jury shall allow a reasonable amount of attorney's fees and other costs of the action to be paid by the losing party to the prevailing party."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Blunt moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Graham 106	Griesheimer	Gross	Hartzler 123

Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	King	Klindt	Legan
Levin	Linton	Long	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Ostmann	Patek	Phillips	Pouche 30
Pryor	Purgason	Reinhart	Richardson	Robirds
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

NOES: 087

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	George	Gibbons	Graham 24	Gratz
Green	Gunn	Hagan-Harrell	Hampton	Harlan
Hickey	Hilgemann	Hollingsworth	Hoppe	Hosmer
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lakin	Lawson	Leake	Liese	Luetkenhaus
May 108	Mays 50	McBride	McKenna	McLuckie
Merideth	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Ransdall	Reid	Relford
Ridgeway	Riley	Rizzo	Ross	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartle	Berkstresser	Hanaway	Kelley 47	Lograsso
Nordwald	Reynolds	Sallee	Stokan	Williams 121

VACANCIES: 001

Representative Luetkemeyer offered **House Amendment No. 7**.

House Amendment No. 7 was withdrawn.

Representative Evans offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Line 9, by deleting:

“[any person who employs six or more persons, including]”.

Representative Evans moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Hegeman offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, at the end of said line by adding the following:

“4. In any action commenced pursuant to the provisions of section 290.610 to 290.618 in which payment of attorney’s fees or other legal fees is contingent upon a monetary settlement or award of damages, such fees for legal services shall not exceed twenty-five percent of the total monetary settlement or award.”.

Representative Hegeman moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bennett	Blunt	Boatright	Burton	Champion
Chrismer	Crawford	Elliott	Enz	Foster
Gaskill	Graham 106	Gratz	Griesheimer	Gross
Hartzler 123	Hartzler 124	Hegeman	Hohulin	Holand
King	Klindt	Legan	Levin	Linton
Luetkemeyer	Marble	McClelland	Miller	Murphy
Myers	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Robirds
Schwab	Scott	Secrest	Shields	Summers
Surface	Townley	Vogel	Wright	

NOES: 097

Abel	Auer	Backer	Barry 100	Bartle
Berkowitz	Black	Bonner	Boucher 48	Boykins
Bray 84	Britt	Brooks	Campbell	Clayton
Crump	Curls	Davis 122	Davis 63	Days
Dolan	Dougherty	Evans	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Froelker
Gambara	George	Gibbons	Graham 24	Green
Gunn	Hagan-Harrell	Hampton	Harlan	Hendrickson
Hickey	Hilgemann	Hoppe	Hosmer	Howerton
Kasten	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Lograsso	Loudon	Luetkenhaus	May 108	Mays 50
McBride	McKenna	McLuckie	Merideth	Monaco
Murray	O'Connor	O'Toole	Overschmidt	Parker
Ransdall	Reid	Relford	Richardson	Ridgeway
Riley	Rizzo	Ross	Scheve	Schilling
Seigfreid	Selby	Shelton	Skaggs	Smith
Thompson	Treadway	Tudor	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 010

Berkstresser	Cierpiot	Hanaway	Hollingsworth	Kelley 47
Long	Naeger	Reynolds	Sallee	Stokan

VACANCIES: 001

Speaker Gaw resumed the Chair.

Representative Bartle offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.614, Line 10, by deleting the word: “[disclosed,]”.

On motion of Representative Bartle, **House Amendment No. 9** was adopted.

Representative Patek offered **House Amendment No. 10.**

House Amendment No. 10 was withdrawn.

Representative Patek offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Lines 17 to 18, by deleting all of said lines and inserting in lieu thereof the following: “**any one or more employees. Any party to such**”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Patek, **House Amendment No. 10** was adopted.

Representative Pouche offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for House Bill No. 1569, Page 2, Section 290.612, Line 21, by adding after said line the following:

“**Any labor organizations or its agent which violate the provisions of this subsection shall also be subject to the penalties prescribed herein.**”.

Representative Pouche moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

Representative Marble offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for House Bill No. 1569, Page 1, Section 290.610, Line 9, by placing a bracket around the word “six” and placing in lieu thereof the word “twenty-five”.

Representative Marble moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Akin	Alter	Barnett	Bartelsmeyer	Bartle
Bennett	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham 106	Griesheimer	Gross	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Holand	Howerton
Kasten	King	Klindt	Legan	Levin
Lograsso	Loudon	Luetkemeyer	Marble	McClelland
Merideth	Miller	Murphy	Myers	Ostmann
Patek	Phillips	Pouche 30	Pryor	Purgason
Ransdall	Reinhart	Relford	Richardson	Ridgeway
Robirds	Ross	Schwab	Secrest	Shields
Summers	Surface	Townley	Tudor	Vogel
Wagner	Williams 159	Wright		

NOES: 076

Abel	Backer	Barry 100	Berkowitz	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Green	Gunn	Hagan-Harrell
Hampton	Harlan	Hickey	Hilgemann	Hollingsworth
Hoppe	Hosmer	Kelly 27	Kennedy	Kissell
Koller	Kreider	Lakin	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Monaco	Murray	O'Connor	O'Toole
Overschmidt	Parker	Reid	Riley	Rizzo
Scheve	Schilling	Seigfreid	Selby	Shelton
Skaggs	Smith	Thompson	Treadway	Van Zandt
Ward	Wiggins	Williams 121	Wilson 25	Wilson 42
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer	Ballard	Berkstresser	Dolan	Elliott
Gratz	Hanaway	Kelley 47	Lawson	Linton
Long	Naeger	Nordwald	Reynolds	Sallee
Scott	Stokan	Troupe		

VACANCIES: 001

Representative Bartle offered **House Amendment No. 13**.

Representative Bray raised a point of order that **House Amendment No. 13** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Hickey raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, by inserting after said line the following:

“4. When a person files a petition, the court shall order the parties to the action to participate in an alternative dispute resolution program pursuant to supreme court rule to resolve any issues in dispute.

5. Any alternative dispute resolution program ordered by the court pursuant to this section may be paid for by the parties in a proportion to be determined by the court, the cost of which shall be reasonable and customary for the circuit in which the program is ordered, and shall:

- (1) Not be binding on the parties;
- (2) Not be ordered or used for contempt proceedings;
- (3) Not be used to modify a prior order of the court, except by agreement of the parties.

6. Within one hundred twenty days after August 28, 2000, the Missouri supreme court shall have a rule in effect allowing, but not requiring, each circuit to establish an alternative dispute resolution program for proceedings involving issues under this section.”.

Representative Monaco offered **House Substitute Amendment No. 1 for House Amendment No. 13.**

*House Substitute Amendment No. 1
for
House Amendment No. 13*

AMEND House Committee Substitute for House Bill No. 1569, Page 3, Section 290.618, Line 24, by inserting after said line the following:

“4. When a person files a petition, the court may order the parties to the action to participate in an alternative dispute resolution program pursuant to supreme court rule to resolve any issues in dispute.

5. Any alternative dispute resolution program ordered by the court pursuant to this section may be paid for by the parties in a proportion to be determined by the court, the cost of which shall be reasonable and customary for the circuit in which the program is ordered, and shall:

- (1) Not be binding on the parties;
- (2) Not be ordered or used for contempt proceedings;
- (3) Not be used to modify a prior order of the court, except by agreement of the parties.”.

On motion of Representative Monaco, **House Substitute Amendment No. 1 for House Amendment No. 13** was adopted.

HCS HB 1569, as amended, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1121 - Budget

COMMITTEE REPORTS

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1646**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SB 753**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Critical Issues, Chairman Harlan reporting:

Mr. Speaker: Your Committee on Critical Issues, to which was referred **SB 856**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Higher, Chairman Farnen reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **SB 961**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Motor Vehicle and Traffic Regulations, Chairman O'Connor reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 907**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 2056**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Urban Affairs, Chairman Van Zandt reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

House Concurrent Resolution No. 28

WHEREAS, Kansas City, known as the "Heart of America" and the "City of Fountains", includes more than one hundred thirty-six cities with a population of approximately one million six hundred thousand people; and

WHEREAS, Kansas City offers a diverse selection of shopping and entertainment areas such as Crown Center, Westport and Country Club Plaza, and is home for two impressive art museums, the Nelson-Atkins Museum of Art and the Kemper Museum of Contemporary Art and Design; and

WHEREAS, Kansas City is also big on professional sports with the Truman Sports Complex, home of Kansas City Chiefs football, Kansas City Royals baseball and Kansas City Wizards soccer; Kemper Arena, home of Kansas City Blades IHL hockey and Kansas City Attack NPSL soccer; and Hale Arena in the American Royal Complex where the Explorers play professional tennis; and

WHEREAS, Kansas City's 18th & Vine Historic District attractions include the Kansas City Jazz Museum, the Negro Leagues Baseball Museum and the renovated Gem Theatre Cultural and Performing Arts Center; and

WHEREAS, Kansas City's Liberty Memorial is the country's only memorial and museum dedicated to World War I veterans; and

WHEREAS, June 3, 2000, marks the 150th anniversary of the incorporation of the Town of Kansas in the County of Jackson, Missouri; and

WHEREAS, Kansas City is commemorating its sesquicentennial with a wide range of projects and celebrations, known as "KC150", throughout the year across the Kansas City metropolitan area; and

WHEREAS, May 26 to June 4, 2000, marks the midpoint for celebrations which will include a May 26, 2000, free public debut performance of a Rob Kapilow symphony inspired by the memories and history of Kansas City and Union Station, a performance on May 28, 2000, by the United States Air Force Band, free admittance to major Kansas City-area museums and entertainment complexes on June 2, 2000, and a "Barbecue and Basie on the Boulevard" day featuring a barbecue contest between professional and backyard barbecue teams; and

WHEREAS, the celebrations will end on January 1, 2001, with the opening of a Century Box that was placed in 1901, and the sealing of a new time capsule to be opened January 2, 2101:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Ninetieth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare June 3, 2000, to be "KC150 Day" and encourage the people of the state of Missouri, especially those persons in the Kansas City metropolitan area, to support and participate in the year-long celebrations commemorating the 150th Anniversary of Kansas City.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 610**, entitled:

An act to repeal section 302.020, RSMo Supp. 1999, relating to motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 12, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fifty-first Day, Monday, April 10, 2000, pages 881 and 882, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Wednesday, April 12, 2000, 8:30 am. Hearing Room 3.
Executive Session. To be considered - HB 1113, HB 1121

CIVIL AND ADMINISTRATIVE LAW

Wednesday, April 12, 2000. Hearing Room 1 upon morning adjournment.
AMENDED NOTICE.
To be considered - SB 617, SB 757, Executive Session - SB 858

CONSUMER PROTECTION AND HOUSING

Wednesday, April 12, 2000, 6:00 pm. Hearing Room 4 upon afternoon adjournment.
Executive Session.

CRIMINAL LAW

Wednesday, April 12, 2000. Hearing Room 5 upon morning adjournment.
Executive Session may be held.
To be considered - SB 530

ENVIRONMENT AND ENERGY

Thursday, April 13, 2000, 8:30 am. Hearing Room 7.
Executive Session will follow.
To be considered - HCR 29

FISCAL REVIEW

Wednesday, April 12, 2000, 8:30 am. Hearing Room 7.
Executive Session.
To be considered - HB 1652

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 12, 2000, 1:50 pm. Hearing Room 7.
Ten minutes before afternoon session or 1:50 pm. Executive Session.
To be considered - SB 788

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, April 13, 2000, 9:00 am. Hearing Room 5.
Discussion of Revision Bills; Publication of Statutes and Session Laws; Mental Health Report.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 12, 2000, 9:30 am. Hearing Room 6. CANCELLED.

To be considered - Executive Session - SB 801

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, April 13, 2000, 9:00 am. Hearing Room 4.

To be considered - Executive Session - SB 801

MUNICIPAL CORPORATIONS

Wednesday, April 12, 2000. Hearing Room 3 upon morning adjournment.

AMENDED NOTICE.

To be considered - HB 1286, HB 2133

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 12, 2000, 6:00 pm. Hearing Room 5.

To be considered - HB 2079

PUBLIC HEALTH

Thursday, April 13, 2000, 9:00 am. Hearing Rooms 2A and 2B.

Executive Session.

PUBLIC SAFETY AND LAW ENFORCEMENT

Wednesday, April 12, 2000. Side gallery upon morning adjournment.

Executive Session.

SUBCOMMITTEE ON LEGISLATIVE RESEARCH AND OVERSIGHT

Wednesday, April 12, 2000, 1:00 pm. Hearing Room 5. Challenge Fiscal Note.

To be considered - HB 1447

SUBCOMMITTEE ON PUBLIC HEALTH

Wednesday, April 19, 2000, 8:30 am. Hearing Room 4.

Discussing mental health ombudsman legislation.

TRANSPORTATION

Wednesday, April 12, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SB 633, SB 725, SB 1020

UTILITIES REGULATION

Thursday, April 13, 2000, 8:00 am. Hearing Room 6.

To be considered - HB 1778, HB 1842, HB 1895, SB 1049

HOUSE CALENDAR

FIFTY-THIRD DAY, WEDNESDAY, APRIL 12, 2000

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1569, as amended - Bray
- 2 HCS HB 1932 - Harlan
- 3 HCS HB 1967 - Hoppe
- 4 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve
- 4 HB 1472 - Smith
- 5 HCS HB 1574 & 1640 - Britt

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1305, E.C. - Rizzo
- 2 HS HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 3 HS HCS HB 1652 & 1433, (Fiscal Review, 4-10-00) - Hoppe
- 4 HS HB 1603 - May (108)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 - Gross
- 2 HB 1095 - Richardson
- 3 HB 1358 - Loudon
- 4 HB 1275 - Chrismer

HOUSE BILLS FOR THIRD READING - CONSENT - INFORMAL

- 1 HB 1825 - Klindt
- 2 HB 1685 - Smith

SENATE BILL FOR SECOND READING

SB 610

SENATE BILL FOR THIRD READING

HCS SS SB 549, E.C. - Van Zandt

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford